

SECTION 1

CONTEMPORARY ISSUES OF DEMOCRATIC SOCIETY DEVELOPMENT. DEMOCRACY THROUGH LAW

INVALIDATION OF THE TESTAMENT

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Throughout most of the world, the disposal of an estate has been a matter of social custom. According to Plutarch, the written testament was invented by Solon. Originally, testament was intended solely for men who died without offsprings.

The **object** of the research is the legal relationship connected with the organization of inheritance rights. The **subject** of the study is the legal regulation of invalidation of the testament.

The **purpose** of the research is to study the legal status of testaments in modern Ukrainian legislation. The **goal** of the research has determined the necessity to fulfil the following tasks: to identify and analyze the specific procedure of drafting testaments.

Under Art. 1233 of the Civil Code of Ukraine the testament is a personal order of an individual in case of his death. In legal literature, the term "testament" is used in different ways: a testament is referred to as a document in which the will of the testator is expressed, and the act of expressing the will of the testator.

Almost two-thirds of Ukrainians die without a testament; it means that they have died "intestate". When this happens, Ukrainian laws will determine how property is distributed upon death.

The Civil Code of Ukraine determines the grounds for the invalidation of the testament. They are the following:

1) Drafting the testament by a person who did not have the right for drafting. The invalidity of the testament, in this case, is related to drafting the testament by a person beyond his testamentary capacity. The legislator determines cases when the person has a lack of testamentary capacity.

2) If there is a violation of the testament form, it can be considered as invalid. Art. 1247 of the Civil Code of Ukraine reveals general requirements for the form of the testament. The testament is written by a testator, indicating the place and time of its compilation.

3) This document must be further certified by a notary. In another case, it will be invalid.

The issues of the legal regulation and status of testaments in modern

Ukrainian legislation have been investigated by many scholars, namely: Kukharev O. Y., Pisareva E. A., Rozgon O. V. and many other famous researchers. Besides, further research of legal regulation of invalidation of the testament in the context of reforming the Ukrainian legislation reform is important.

Testament can be acknowledged as invalid both in whole and in part. The presence of small errors in the preparation procedure of the testament doesn't mean that it is invalid if a court found that it doesn't affect the understanding of will expression of the testator.

It should be mentioned about the facts when someone has forced the will-maker to make or change their testament so that it benefits the person who has applied the pressure. In those cases the testament can be acknowledged as invalid.

Taking into consideration everything mentioned above, I would like to summarize that invalidation of the testament is one of the main institutes of civil relations, which has a specific internal structure and legal status.

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ANCIENT CHINA: SOCIAL ORDER, POLITICAL SYSTEM, LAW

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INTRODUCTION

The history of Ancient China is divided into three periods, which are called by the name of ruling dynasty:

- 1) Shang (Yin) period - 18-12 centuries. BC - the slave period;
- 2) Zhou period - 11-3 centuries. B.C.;
- 3) Han Period (3rd century BC - 3rd century AD); [1, ст. 99]